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E.O. 12958: DECL: 02/21/2017

TAGS: [PHUM](#) [KJUS](#) [PGOV](#)

SUBJECT: KOSOVO: SERBIAN JUDGE ALLOWS EXPLORATORY DIG AT
SUSPECTED MASS GRAVE SITE

Classified By: COM KAIDANOW FOR REASONS 1.4 (B) AND (D).

11. (U) This is a joint Embassy Belgrade/U.S. Office Pristina cable.

12. (C) In a meeting on February 13 at the Belgrade District Court, Judge Milan Dilparic agreed to permit an exploratory dig at the site just over the administrative boundary line (ABL), where it is suspected that up to several hundred bodies may have been buried in 1999. Months ago, UNMIK DOJ Director Al Moskowitz had turned over information to Dilparic, including summaries of witness statements, to support UNMIK's request for a court order to permit excavation of the site. Despite this, and a joint visit to the site last year, Dilparic had still not issued the order.

13. (C) Belgrade authorities met with Moskowitz along with representatives of Embassy Belgrade and the US Office Pristina, Resident Legal Advisors Sam Nazzaro and Sarah Lum, respectively, as well as Dubravko Bolsec, regional representative of Ambassador-at-Large for War Crimes. At the start of the meeting, Dilparic bemoaned at length the lack of specific information available to help pinpoint where the excavation should occur, and the possibility that the site was now paved over with a road or parking lot. Moskowitz then handed him a photograph of the site, which had been marked to show the specific location where bodies had been seen by one of the witnesses. Dilparic grumbled that he had not seen the photograph before, but made a quick about face and said he agreed that an exploratory dig could go forward on the basis of the available information. However, he conditioned his approval upon UNMIK's submission of a written proposal detailing how it would be done and what the estimated cost would be, cautioning that court funds were scarce. Moskowitz said he expected to submit such a proposal in about two weeks.

14. (C) The head of the Belgrade office of missing persons, who was also at the meeting, stated that his office had some funds (about 10-12,000 euros) and committed those funds to support the exploratory dig. Moskowitz suggested that UNMIK might be able to cover the excavation expenses, to which Dilparic responded he would be grateful, though insisting on retaining control regardless of who footed the bill.

15. (C) COMMENT: This was a productive meeting, with a welcome

agreement by Belgrade officials to allow -- and even partly finance -- an exploratory dig. We are grateful for the coordination between RLAs and the regional S/WCI representative. We will continue to pursue this issue in close coordination. Dilparic remarked at the end of the meeting that the recent regional war crimes conference in Nis, organized by RLA Nazzaro for prosecutors and judges from Serbia and UNMIK had been worthwhile, and suggested meeting more often -- something we strongly support. END COMMENT.

¶6. (SBU) U.S. Office Pristina clears this cable in its entirety for release to U.N. Special Envoy Martti Ahtisaari.

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